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## C. REMARKS

### *Status of Claims*

Claims 1-15 and 18-26 are pending in the application. Claims 1, 7, 8, 11, and 15 are amended. Claims 16 and 17 were cancelled in the preliminary amendment. Claims 1, 10, 18, and 20 are independent claims.

### *Interview Summary*

A telephone interview was conducted on January 10, 2006 at 11 AM EST between Applicants' representative Amy Pattillo and Examiners Honeycutt and Paula. No exhibits were shown or demonstrations made.

First, Applicants requested a clarification of how Ries teaches programmed logic being adapted to reload only the selected frames from Ries description of reloading the entire web page into the content frame. The Examiner stated that paragraphs 0057 and 0058 teach that only the edited portions are reloaded, therefore teaching that only selected edited frames are reloaded into the content frame.

In addition, Applicants proposed an amendment to claim 1 to clearly show that claim 1 is not anticipated by Ries. Applicants note that claim 1 as presented in this response is similar to the proposed amendment presented during the interview. The Examiner agreed that in particular, with reference to the amended element of "defining a target frame [[for]] within the web page to serve as a work area for performing programmed logic" that the amendment canceling "for" and inserting "within" clarifies that claim 1 is not anticipated by Ries. No other agreements were reached as to the claims.

Second, Applicants requested clarification of the Examiner's grounds for rejection of claim 3 that propose modifying the web page editing browser of Ries by the efficient video frame transmitter of Westerman. Examiner Honeycutt agreed that there is no motivation to modify Ries by Westerman and that the rejection is improper. In particular, Examiner Honeycutt agreed that the video frames described in Westerman are not related to web page frames.

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Applicants agreed to file this response noting the improper rejection of claim 3 and other claims improperly rejected based on Ries in view of Westerman.

***35 USC § 112***

The Examiner rejects claims 15 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. [Office Action, p. 3] In particular, the Examiner states:

Claim 15 recites the limitation “the returned script” in lines 3-4. There is insufficient antecedent basis for this limitation in the claim. [Office Action, p. 3]

Applicants amend claim 15 to cancel “returned”. Claim 15 now reads as follows:

15.(Currently Amended) A web page as claimed in claim 0 wherein the action attribute comprises a uniform resource locator (url) of a dynamic web page that includes the script and effects the downloading of the dynamic web page to the target frame, and the [[returned]] script with rendering information provides a set of instructions that include instructions for reloading only the respective selected frames, regardless of respective membership of the selected frames in framesets of the web page.

Applicants respectfully submit that there is proper antecedent basis for “the script” and respectfully request withdrawal of the rejection and allowance of the claim.

***Lack of Anticipation under 35 USC § 102(e)***

**Claims 1, 2, 6-8, 10, 11, 18, and 20 are not anticipated by Ries et al.**

Claims 1, 2, 6-8, 10, 11, 18, and 20 are rejected under 35 USC 102(e) as being anticipated by Ries et al. (US Publication 2002/0217985) (hereinafter referred to as Ries). [Office Action, p. 4] The rejection is respectfully traversed in view of the claims. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed Cir. 1987). Furthermore the reference must be an enabling disclosure of each and every element as set forth in the claim. *In re Hoecksmas*, 158 USPQ 596, 600 (CCPA 1968); *In re LeGrive*, 133 USPQ 365, 372 (CCPA 1962). Because Ries CA920020042US1

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does not teach each and every element of claims 1, 2, 6-8, 10, 11, 18, and 20 or enable each and every element of these claims, these claims are not anticipated, the rejection should be withdrawn, and the claims should be allowed.

#### Claim 1

Claim 1 reads:

1. (Currently Amended) A method for creating a web page adapted to automatically reload selected frames of the web page in response to a trigger event, the method comprising:
  - defining a target frame [[for]] within the web page to serve as a work area for performing programmed logic;
  - associating an action with the trigger event, the action having the target frame as a target; and
  - associating the programmed logic with the action, the programmed logic being adapted to reload only the selected frames, regardless of a membership of the selected frames in framesets used to create the web page.

Applicants respectfully assert that Ries does not anticipate each and every element of claim 1. Nonetheless, Applicants amend claim 1 to clarify that claim 1 is not anticipated by Ries and the claim should be allowed.

First, Applicants note that claim 1 is amended to teach *a method for creating a web page adapted to automatically reload selected frames of the web page in response to a trigger event*. Applicants respectfully assert Ries only describes client side editing of web pages provided by servers, where clients display the web pages using a browser enabled with editing logic for editing the content of the web page. *Ries*, paragraphs 0021, 0023. Ries does not describe a method for creating a web page that itself is adapted to automatically reload selected frames from among multiple frames of the web page in response to a trigger event. In contrast, claim 1, teaches a method for creating *a web page adapted* to automatically reload selected frames of the web page in response to a trigger event.

Next, in the rejection of claim 1, the Examiner cites Ries, paragraphs 0056 and 0070 as reading on the elements of *defining a target frame within the web page to serve as a work area for performing programmed logic*. [Office Action, p. 4] In particular, the Examiner states that

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“a target frame is defined as a work area since Ries teaches a content frame for presenting web pages for interacting, browsing, viewing and editing.” [Office Action, p. 4] Paragraphs 0056 and 0070 of Ries read:

[0056] Once logged into the system, the backend application logic 138 or 124 transmits editing logic and data (“edit mode”) 144 that is run within the browser application and used to allow web pages to be edited directing within the browser application 142. Edit mode 144 comprises a content frame and triggers the content frame to request and render the home page for the web site. An editing client 140 may request web pages from a web server 104 and 114 like any other non-editing client 134 according to one or more of the manners described above. The requested web page is presented through edit mode’s content frame.

[0070] The third general category comprising edit mode 222 is the content frame 232. The content frame 232 operates to present web pages for interacting, browsing, viewing and editing, which is performed directly within the content frame 232. When the edit mode assembler 206 delivers edit mode 222 to the editing client, the content frame is initially blank. Data comprising the configuration data 234 defines the start page for the web site with edit mode triggering the content frame to retrieve the start page. As the editing client navigates to other web pages comprising the web site, each web page is rendered by the browser application and presented within the content frame 232 as per a non-editing client’s use of the web site.

Clearly, Ries only describes a content frame that presents the web page for interacting, browsing, viewing and editing. *Ries*, paragraph 0070. The content frame is not a frame of the web page, but is the interface through which the “requested web page is presented through edit mode’s content frame.” *Ries*, Figure 2, element 232, paragraphs 0056 (quote from lines 11-12), 0070. In contrast, claim 1 describes defining a target frame for a web page to serve as a work area. Applicants described during the interview, how defining a target frame for a web page to serve as a work area, when “work area” is interpreted in view of the specification, teaches that the “work area” is a frame defined within a web page and with which the scripts are associated for reloading only selected frames. *Specification*, paragraphs 0032 and 0034. Thus, Applicants respectfully disagree with the Examiner’s interpretation that a content frame into which a web page is loaded could teach or enable defining a target frame for the web page to serve as a work area. Regardless of the Examiner’s interpretation, however, Applicants amend claim 1 to clarify that claim 1 teaches defining the target frame within the web page to serve as the work area for CA920020042US1

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performing programmed logic, as supported in the specification in paragraphs 0032 and 0034 and in Figure 2.

In addition, in the rejection of claim 1, the Examiner cites Ries, Figure 6, paragraphs 0056, 0058, 0079, 0080 and 0083 as reading on the elements of *associating an action with the trigger event, the action having the target frame as a target*. [Office Action, p. 2] In particular, the Examiner states that “as demonstrated in the figure and cited text, actions are associated with triggers since Ries teaches editing and saving web pages in the content frame and actions occurring as a result of the edit and save triggers.” [Office Action, p. 4] Applicants note that when claim 1 is viewed as a whole, claim 1 teaches that the web page is adapted to automatically reload selected frames of the web page in response to the trigger event. An action associated with the trigger event has the target frame as a target. Thus, the web page taught in claim 1 is adapted so that when the trigger event occurs, the associated action is passed to the target frame. *See also* Specification, Figure 3 (2) and Figure 4, elements 54 and 56. Ries only describes a web page that includes editable portions, that when the web page is loaded into the content frame, are visible and selectable by the user for editing. *Ries*, paragraphs 0079, 0080, and 0083. Ries does not describe adapting the web page, but only describes a web browser with programming logic for enabling editing of a web page. *Ries*, paragraphs 0056, 0070. Further, Ries does not describe claim 1’s teaching of adapting the web page to associate an action with a trigger event, where the action is set to be passed to the target frame within the web page in response the trigger event.

Further, in the rejection of claim 1, the Examiner cites Ries, Figure 6 and paragraphs 0057-0059, 0080, and 0083 as reading on the element of *associating the programmed logic with the action, the programmed logic being adapted to reload only the selected frames, regardless of a membership of the selected frames in framesets used to create the web page*. [Office Action, p. 4] In particular, the Examiner states “as demonstrated in the figure and cited text, logic is associated with the actions that reloads the selected frames since Ries teaches reloading the content frame when the edit and save triggers occur.” [Office Action, p. 5] Applicants respectfully assert that the Examiner’s interpretation of Ries is incorrect and that as to *reloading*,

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Ries only describes reloading the entire web page from the server into the content frame. If anything, Ries describes enabling a user to edit portions of a web page and that the edited portions are “immediately made and presented to the user” or “re-rendered” as the user triggers editing; Ries’ description of showing client-side user edits to the web page as they occur does not teach reloading frames. *Ries*, paragraphs 0057, 0058, 0080. In contrast to “re-rendering”, the Microsoft Computer Dictionary defines “reload” as “to retrieve a new copy of the Web page currently visible in a Web browser.” (Microsoft Computer Dictionary, 5<sup>th</sup> edition, Microsoft Press, 2002, p. 448). Further, as to reloading, Ries specifically uses the term with reference to retrieving the web page from the web server after the user edits are saved to the server and Ries describes reloading the entire web page and not just frames of the web page. In particular, in Figure 6 of *Ries*, the only reloading describes is with reference to element 632 which follows the saving of edits to a web page and reads “edit mode triggers the content frame to reload content from the web server.” Paragraph 0058 of *Ries* describes that once the servers are updated by the edit mode with edit requests, the edit mode “triggers its content frame to re-retrieve the web page from the web server. It is rendered by the browser application 142 and presented to the editing client.” Paragraph 0083 of *Ries* describes that the web server is updated with the user edits and if the web server indicates that the save with the edits was successful, “edit mode triggers the content frame to reload the web page for the web site, which should reflect the edits made to the web page previously viewed by the editing client, step 522.” Therefore, with reference to reloading frames, Ries only describes reloading the entire web page; there is no portion of *Ries* that describes *reloading only selected frames*. Because Ries does not describe reloading only selected frames, Ries also does not describe associating programming logic with the action, where the programmed logic is adapted to reload only the selected frames regardless of the membership of the selected frames in framesets used to create the web page.

Therefore, in view of the foregoing, because Ries fails to teach or enable at least one element of claim 1, Applicants respectfully request withdrawal of the rejection under 102(e) and allowance of the claim.

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### Claims 2, 6-8

With regard to claims 2 and 6-8, Applicants respectfully propose that because Ries does not anticipate independent claim 1 upon which these dependent claims rely, Ries also does not anticipate these dependent claims and the dependent claims should be allowed. In addition, Applicants respectfully assert that Ries does not teach or enable each element of claims 2, 7, and 8, as will be further discussed, and therefore each of these claims should be allowed.

### Claim 2

Claim 2 reads:

2.(Original) A method as claimed in claim **Error! Reference source not found.** wherein defining the target frame comprises defining a named frame with a static source in a frameset of the web page.

The Examiner rejects claim 2 based on Ries, paragraphs 0049, 0055, and 0056, which the Examiner interprets as describing “the target frame comprises a named frame with a static source since Ries teaches a content frame as the target and static sources for the files and web page.” [Office Action, p. 5] Applicants respectfully disagree with the Examiner’s interpretation of claim 2 as not well founded. In particular, Applicants respectfully assert that claim 2, particularly when viewed as a whole in view of claim 1, teaches defining a named frame with a static source and defining that named frame with the static source in a frameset of the web page. Ries only describes a content frame of an edit mode that is triggered to request and render a web page. *Ries*, paragraph 0056. Ries does not describe defining a named frame with a static source and defining the named frame with the static source in a frameset of the web page. In addition, the Examiner does not point to any teaching of Ries for defining a named frame *in a frameset of the web page*. Because Ries does not teach or enable at least one element of claim 2, Ries does not anticipate claim 2 and Applicants respectfully request withdrawal of the rejection and allowance of the claim.

### Claim 7

Claim 7 reads:

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7.(Currently Amended) A method as claimed in claim **Error! Reference source not found.** further comprising:

accessing server-side functions in dependence on a predefined set of conditions, wherein the server-side functions return the programmed logic for directing client-side reloading of only the selected frames.

The Examiner rejects claim 7 based on Ries, paragraphs 0050 and 0059 and states “server side functions are accessed in dependence of other conditions since Ries teaches backend logic residing on a server.” [Office Action, p. 6] Applicants respectfully submit amended claim 7, with amendments supported throughout the specification and figures, and for example, in paragraphs 0041 and 0043 and Figure 4, elements 58, 60, 62, 64, and 66. Applicants respectfully assert that Ries merely describes backend logic residing on a server, as stated by the Examiner. Backend logic residing on a server does not describe accessing server-side functions that return the programmed logic for directing client-side reloading of only the selected frames. Further, as previously discussed, Applicants respectfully assert that Ries does not teach or enable reloading of only selected frames and therefore also does not teach or enable receiving programmed logic from a server for directing client-side reloading of only the selected frames of a web page. Because Ries does not teach or enable at least one element of claim 7, Ries does not anticipate claim 7 and Applicants respectfully request withdrawal of the rejection and allowance of the claim.

#### Claim 8

Claim 8 reads:

8.(Currently Amended) A method as claimed in claim 0 further comprising associating [[providing]] said action with a link to a dynamic uniform resource locator, wherein said dynamic uniform resource locator directs access to said server-side functions.

The Examiner rejects claim 8 based on Ries, paragraphs 0082 and 0088 and states “a link to a URL is provided.” [Office Action, p. 6] Applicants respectfully submit amended claim 8, with amendments supported throughout the specification and figures, and for example, in paragraphs CA920020042US1



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0016, 0031, 0032, and 0041 and Figure 2, element 28, Figure 4, element 60. Applicants respectfully assert that Ries merely describes that a web page includes a link to a URL. A web page including a link to a URL does not describe associating the action with a link to a dynamic URL, wherein the dynamic URL directs access to the server-side functions for directing client-side reloading of the selected frames. Because Ries does not teach or enable at least one element of claim 8, Ries does not anticipate claim 8 and Applicants respectfully request withdrawal of the rejection and allowance of the claim.

#### **Claims 10 and 11**

Claims 10 and 11 are rejected under the same rationale as claims 1 and 2, respectively. [Office Action, p. 6] The rejection of claims 10 and 11 is respectfully traversed.

#### Claim 10

With respect to claim 10, Applicants respectfully assert that claim 10 is distinguishable from claim 1, prior to amendment, and therefore amendment of claim 10 under the same rationale as claim 1 is improper. In particular, claim 10 reads:

10.(Original) A web page having a plurality of frames, comprising:  
a target frame; and  
a script associated with the target frame and adapted to reload only selected frames of any frameset used to create the web page.

First, Applicants respectfully assert that Ries does not teach or enable each and every element of claim 10 because Ries does not teach or enable *a target frame*. In the rejection of claim 1, the Examiner equates the target frame with the content frame. [Office Action, p. 4] Applicants respectfully note, however, that claim 10 teaches a web page having a plurality of frames. When claim 10 is viewed as a whole, the web page, with a plurality of frames, comprises a target frame and a script associated with the target frame and adapted to reload only selected frames of any frameset used to create the web page. The content frame of Ries is merely the portal through for requesting and rendering a web site (*Ries*, paragraph 0056); the

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content frame is not a frame of a web page. Therefore, Ries does not teach a web page with multiple frames comprising a target frame.

Second, Applicants respectfully assert that Ries does not teach a script associated with the target frame and adapted to reload only selected frames of any frameset used to create the web page. In the rejection of claim 1, the Examiner states “as demonstrated in the figure and cited text, logic is associated with the actions that reloads the selected frames since Ries teaches reloading the content frame when the edit and save triggers occur.” [Office Action, p. 5] As previously asserted with respect to claim 1 and now with respect to claim 10, Ries does not teach a script that *reloads* only selected frames of a web page. If anything, Ries describes enabling a user to edit portions of a web page and that the edited portions are “immediately made and presented to the user” or “re-rendered” as the user triggers editing; Ries’ description of showing client-side user edits to the web page as they occur does not teach reloading frames. *Ries*, paragraphs 0057, 0058, 0080. In contrast to “re-rendering”, the Microsoft Computer Dictionary defines “reload” as “to retrieve a new copy of the Web page currently visible in a Web browser.” (Microsoft Computer Dictionary, 5<sup>th</sup> edition, Microsoft Press, 2002, p. 448). Further, as to reloading, Ries specifically uses the term with reference to retrieving the web page from the web server after the user edits are saved to the server and Ries describes reloading the entire web page and not just frames of the web page. In particular, in Figure 6 of Ries, the only reloading describes is with reference to element 632 which follows the saving of edits to a web page and reads “edit mode triggers the content frame to reload content from the web server.” Paragraph 0058 of Ries describes that once the servers are updated by the edit mode with edit requests, the edit mode “triggers its content frame to re-retrieve the web page from the web server. It is rendered by the browser application 142 and presented to the editing client.” Paragraph 0083 of Ries describes that the web server is updated with the user edits and if the web server indicates that the save with the edits was successful, “edit mode triggers the content frame to reload the web page for the web site, which should reflect the edits made to the web page previously viewed by the editing client, step 522.” Therefore, with reference to reloading frames, Ries only describes reloading the entire web page; there is no portion of Ries that describes *reloading only*

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*selected frames*. Because Ries does not describe reloading only selected frames, Ries also does not describe a script associated with the target frame and adapted to reload only selected frames of any frameset used to create the web page.

Therefore, in view of the foregoing, because Ries fails to teach or enable at least one element of claim 10, Applicants respectfully request withdrawal of the rejection under 102(e) and allowance of the claim.

#### Claim 11

Claim 11 reads:

11.(Currently Amended) A web page as claimed in claim 0 wherein the target frame is a member of a particular frameset of the framesets used to create the web page having a static source.

The Examiner rejects claim 2 based on Ries, paragraphs 0049, 0055, and 0056, which the Examiner interprets as describing “the target frame comprises a named frame with a static source since Ries teaches a content frame as the target and static sources for the files and web page.” [Office Action, p. 5] Applicants respectfully note that the rejection of claim 2 does not show how Ries teaches a target frame that is a member of a frameset. The content frame of Ries is not a frame of the web page and therefore is also not a member of a frameset of the web page. However, regardless of the Examiner’s assertions, for purposes of clarification, Applicants amend claim 11 to clarify that the frameset is a particular frameset from among the plurality of frames of the web page. Because Ries does not teach a target frame that is a member of a frameset from among the frames of the web page, Ries does not teach or enable at least one element of claim 11 and the claim should be allowed.

#### **Claim 18**

Claim 18 reads:

18. (Original) An article comprising:  
a computer readable modulated carrier signal; and  
means embedded in the signal for communicating to a client computer, a message  
containing:

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rendering information in response to a request for a server-side processing; and client side code for reloading only selected frames of a web page, regardless of a frameset which the respective frames are members.

As to the element of client side code for reloading only selected frames of a web page, regardless of a frameset which the respective frames are members, the Examiner cites Figure 6 and paragraphs 0057-0059, 0080 and 0083 of Ries and states "the selected frames are reloaded at the client since Ries teaches reloading the content frame at the client's computer when the edit and save triggers occur." [Office Action, p. 7]

Applicants respectfully assert that the Examiner's interpretation of Ries is incorrect and that as to reloading, Ries only describes reloading the entire web page from the server into the content frame. As previously asserted with respect to claim 1 and now with respect to claim 18, Ries does not teach client side code for reloading only selected frames of a web page regardless of a frameset which the respective frames are members. If anything, Ries describes enabling a user to edit portions of a web page and that the edited portions are "immediately made and presented to the user" or "re-rendered" as the user triggers editing; Ries' description of showing client-side user edits to the web page as they occur does not teach reloading frames. Ries, paragraphs 0057, 0058, 0080.

In contrast to "re-rendering", the Microsoft Computer Dictionary defines "reload" as "to retrieve a new copy of the Web page currently visible in a Web browser." (Microsoft Computer Dictionary, 5<sup>th</sup> edition, Microsoft Press, 2002, p. 448). Further, as to reloading, Ries specifically uses the term with reference to retrieving the web page from the web server after the user edits are saved to the server and Ries describes reloading the entire web page and not just frames of the web page. In particular, in Figure 6 of Ries, the only reloading describes is with reference to element 632 which follows the saving of edits to a web page and reads "edit mode triggers the content frame to reload content from the web server." Paragraph 0058 of Ries describes that once the servers are updated by the edit mode with edit requests, the edit mode "triggers its content frame to re-retrieve the web page from the web server. It is rendered by the browser application 142 and presented to the editing client." Paragraph 0083 of Ries describes that the web server is updated with the user edits and if the web server indicates that the save with the CA920020042US1

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edits was successful, "edit mode triggers the content frame to reload the web page for the web site, which should reflect the edits made to the web page previously viewed by the editing client, step 522." Therefore, with reference to reloading frames, Ries only describes reloading the entire web page; there is no portion of Ries that describes *reloading only selected frames*. Because Ries does not describe reloading only selected frames, Ries also does not describe means embedded in a signal for communicating to a computer system a message containing client side code for reloading only selected frames of a web page, regardless of a frameset which the respective frames are members.

Therefore, in view of the foregoing, because Ries fails to teach or enable at least one element of claim 18, Applicants respectfully request withdrawal of the rejection under 102(e) and allowance of the claim.

#### Claim 20

Claim 20 is rejected under the same rationale as claim 1. [Office Action, p. 7] With respect to claim 20, Applicants respectfully assert that claim 20 is distinguishable from claim 1, prior to amendment, and therefore amendment of claim 20 under the same rationale as claim 1 is improper. In particular, claim 20 reads:

20.(Original) A computer readable medium for storing program instructions for reloading only selected frames in at least two framesets of a web page, the computer readable medium comprising:  
instructions for instantiating a target frame; and  
instructions for reloading only the selected frames, the instructions for reloading being initiated by an activation of a trigger associated with the target frame.

Applicants respectfully assert that Ries does teach or enable instructions for reloading only the selected frames in at least two framesets of a web page, the instructions for reloading being initiated by an activation of a trigger associated with the target frame. In the rejection of claim 1, the Examiner states "as demonstrated in the figure and cited text, logic is associated with the actions that reloads the selected frames since Ries teaches reloading the content frame when the edit and save triggers occur." [Office Action, p. 5] As previously asserted with respect to claim 1 and now with respect to claim 20, Ries does not instructions for *reloading*

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only selected frames of a web page. If anything, Ries describes enabling a user to edit portions of a web page and that the edited portions are “immediately made and presented to the user” or “re-rendered” as the user triggers editing; Ries’ description of showing client-side user edits to the web page as they occur does not teach reloading frames. *Ries*, paragraphs 0057, 0058, 0080. In contrast to “re-rendering”, the Microsoft Computer Dictionary defines “reload” as “to retrieve a new copy of the Web page currently visible in a Web browser.” (Microsoft Computer Dictionary, 5<sup>th</sup> edition, Microsoft Press, 2002, p. 448). Further, as to reloading, Ries specifically uses the term with reference to retrieving the web page from the web server after the user edits are saved to the server and Ries describes reloading the entire web page and not just frames of the web page. In particular, in Figure 6 of Ries, the only reloading describes is with reference to element 632 which follows the saving of edits to a web page and reads “edit mode triggers the content frame to reload content from the web server.” Paragraph 0058 of Ries describes that once the servers are updated by the edit mode with edit requests, the edit mode “triggers its content frame to re-retrieve the web page from the web server. It is rendered by the browser application 142 and presented to the editing client.” Paragraph 0083 of Ries describes that the web server is updated with the user edits and if the web server indicates that the save with the edits was successful, “edit mode triggers the content frame to reload the web page for the web site, which should reflect the edits made to the web page previously viewed by the editing client, step 522.” Therefore, with reference to reloading frames, Ries only describes reloading the entire web page; there is no portion of Ries that describes *reloading only selected frames*. Because Ries does not describe reloading only selected frames, Ries also does not describe a script associated with the target frame and adapted to reload only selected frames of any frameset used to create the web page.

Therefore, in view of the foregoing, because Ries fails to teach or enable at least one element of claim 20, Applicants respectfully request withdrawal of the rejection under 102(e) and allowance of the claim.

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***Lack of Obviousness under 35 USC § 103(a)***

**Claims 3-5, 12-15, and 19 are not obvious under Ries in view of Westerman**

Claims 3-5, 12-15, and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ries in view of Westerman (US Patent 6,683,986). The Examiner carries the burden of proving a prima facie case of obviousness for a 103(a) rejection. Applicants respectfully assert that the Examiner does not carry the burden of proving a prima facie case of obviousness as to claims 3-5, 12-15, and 19 for the following reasons.

**Claims 3 and 19**

Claim 3 reads:

3.(Original) A method as claimed in claim 2 wherein defining the named frame comprises defining the target frame as a frame having a null dimension.

The Examiner states the following ground of rejection:

Ries does not disclose defining the named frame comprising defining the target frame as a frame having a null dimension. Westerman teaches a null frame (col. 8, lines 22-24). It would have been obvious to one of ordinary skill in the art, having the teachings of Ries and Westerman before him at the time the invention was made, to modify the frame taught by Ries to include a frame with a null dimension as taught by Westerman, because including a frame with a null dimension, as taught by Westerman (col. 8, lines 22-24) would distinguish the target frame from other frames. [Office Action, p. 8]

To establish a prima facie case of obviousness, there must be a suggestion or motivation to modify the reference. *In re Vaeck*, 947 F.3d 488, 20 USPQ2d 1438, 1442 (Fed Cir. 1991). The suggestion or motivation to modify Ries by Westerman must come from the teachings of Ries, and the examiner must explicitly point to the teaching within the reference suggesting the proposed modification. Absent such a showing, the Examiner has impermissibly used "hindsight" occasioned by Applicants' own teaching to reject the claims. *In re Surko*, 11 F.3d 887, 42 USPQ2d 1476 (Fed. Cir. 1997); *In re Vaeck*, 947 F.3d 488, 20 USPQ2d 1438 (Fed Cir. 1991); *In re Gorman*, 933 F.2d 982, 986, 18 USPQ2d 1885, 1888 (Fed. Cir. 1991); *In re Bond*,

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910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990); *In re Laskowski*, 871 F.2d 115, 117, 10 USPQ2d 1397, 1398 (Fed. Cir. 1989).

Ries describes a web browser enabled for user editing of a web page. *Ries*, abstract. Westerman describes a system for efficient encoding and decoding of video subframes for efficient transmission in different video resolutions. *Westerman*, abstract. Applicants respectfully submit that there is no motivation or suggestion to modify the web page based system of Ries with a video frame encoding and decoding system of Westerman because there is no suggestion or motivation of modifying a web based frame by a video based frame. Further, Applicants note that during the interview, Applicants requested clarification of the Examiner's grounds for rejection of claim 3 that propose modifying the web page editing browser of Ries by the efficient video frame converter and transmitter of Westerman. Examiner Honeycutt agreed that there is no motivation to modify Ries by Westerman to teach defining the target frame as a frame having a null dimension and that the rejection is improper. Because the Examiner admits to not establishing a prima facie case of obviousness as to claim 3, Applicants respectfully request withdrawal of the rejection and allowance of the claim.

In addition, the Examiner rejects claim 19 under the same rationale as claim 3. [Office Action, p. 10]. Applicants respectfully assert that because claim 3 is not obvious under Ries in view of Westerman, claim 19, which is rejected under the same rationale, is also not obvious under Ries in view of Westerman and the claim should be allowed.

#### Claim 4

Claim 4 reads:

4.(Original) A method as claimed in claim 0 wherein defining the named frame comprises defining a frame of 0 rows and 0 columns at an edge of the web page.

The Examiner states the following ground of rejection:

Ries does not disclose defining the name frame comprises defining a frame of 0 rows and 0 columns at an edge of the web page. Westerman teaches frames with rows and columns (col. 5, lines 8-11) so it would have been obvious that the

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frame could contain zero rows and zero columns. It would have been obvious to one of ordinary skill in the art, having the teachings of Ries and Westerman before him at the time the invention was made, to modify the frame taught by Ries to include a frame 0 rows and columns, as taught by Westerman (col. 5, lines 8-11), would distinguish the target frame from other frames. [Office Action, p. 8]

To establish a prima facie case of obviousness, there must be a suggestion or motivation to modify the reference. *In re Vaeck*, 947 F.3d 488, 20 USPQ2d 1438, 1442 (Fed Cir. 1991). The suggestion or motivation to modify Ries by Westerman must come from the teachings of Ries, and the examiner must explicitly point to the teaching within the reference suggesting the proposed modification. Absent such a showing, the Examiner has impermissibly used "hindsight" occasioned by Applicants' own teaching to reject the claims. *In re Surko*, 11 F.3d 887, 42 USPQ2d 1476 (Fed. Cir. 1997); *In re Vaeck*, 947 F.3d 488, 20 USPQ2d 1438 (Fed Cir. 1991); *In re Gorman*, 933 F.2d 982, 986, 18 USPQ2d 1885, 1888 (Fed. Cir. 1991); *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990); *In re Laskowski*, 871 F.2d 115, 117, 10 USPQ2d 1397, 1398 (Fed. Cir. 1989).

Ries describes a web browser enabled for user editing of a web page. *Ries*, abstract. Westerman describes a system for efficient encoding and decoding of video subframes for efficient transmission in different video resolutions. *Westerman*, abstract. Applicants respectfully submit that there is no motivation or suggestion to modify the web page based system of Ries with a video frame encoding and decoding system of Westerman because there is no suggestion or motivation of modifying a web based frame by a video based frame. Further, Applicants note that during the interview, Applicants requested clarification of the Examiner's grounds for rejection of claim 3 that propose modifying the web page editing browser of Ries by the efficient video frame converter and transmitter of Westerman. Examiner Honeycutt agreed that there is no motivation to modify Ries by Westerman as to claim 3 and that the rejection is improper. Similarly, Applicants assert that there is no motivation to modify Ries by Westerman to teach claim 4 which is dependent upon claim 3.

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Claim 5

Claim 5 reads:

5.(Original) A method as claimed in claim 0 wherein defining the frame further comprises using a first frameset tag in the web page to partition the web page into a main frameset comprising a plurality of frames, and the target frame having the null dimension.

The Examiner states the following ground of rejection:

Ries does not disclose defining the frame further comprises using a first frameset tag in the web page to partition the web page into a main frameset comprising a plurality of frames, and the target frame having the null dimension. Westerman teaches partitioning a frame into a plurality of frames and a frame with a null dimension (col. 5, lines 8-11; col. 8, lines 22-24). It would have been obvious to one of ordinary skill in the art, having the teachings of Ries and Westerman before him at the time the invention was made, to modify the frame taught by Ries to include partitioning frames and a frame with a null dimension as taught by Westerman because partitioning frames and a frame with a null dimension, as taught by Westerman (col. 5, lines 8-11, col. 8, lines 22-24) would distinguish the target frame from other frames and would allow users to divide frames for various purposes. [Office Action, pp. 8-9]

To establish a prima facie case of obviousness, there must be a suggestion or motivation to modify the reference. *In re Vaeck*, 947 F.3d 488, 20 USPQ2d 1438, 1442 (Fed Cir. 1991). The suggestion or motivation to modify Ries by Westerman must come from the teachings of Ries, and the examiner must explicitly point to the teaching within the reference suggesting the proposed modification. Absent such a showing, the Examiner has impermissibly used "hindsight" occasioned by Applicants' own teaching to reject the claims. *In re Surko*, 11 F.3d 887, 42 USPQ2d 1476 (Fed. Cir. 1997); *In re Vaeck*, 947 F.3d 488, 20 USPQ2d 1438 (Fed Cir. 1991); *In re Gorman*, 933 F.2d 982, 986, 18 USPQ2d 1885, 1888 (Fed. Cir. 1991); *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990); *In re Laskowski*, 871 F.2d 115, 117, 10 USPQ2d 1397, 1398 (Fed. Cir. 1989).

Ries describes a web browser enabled for user editing of a web page. *Ries*, abstract. Westerman describes a system for efficient encoding and decoding of video subframes for efficient transmission in different video resolutions. *Westerman*, abstract. Applicants

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respectfully submit that there is no motivation or suggestion to modify the web page based system of Ries with a video frame encoding and decoding system of Westerman because there is no suggestion or motivation of modifying a web based frame by a video based frame. Further, Applicants note that during the interview, Applicants requested clarification of the Examiner's grounds for rejection of claim 3 that propose modifying the web page editing browser of Ries by the efficient video frame converter and transmitter of Westerman. Examiner Honeycutt agreed that there is no motivation to modify Ries by Westerman as to claim 3 and that the rejection is improper. Similarly, Applicants assert that there is no motivation to modify Ries by Westerman to teach claim 5 which is dependent upon claim 3.

#### Claims 12-13

The Examiner rejects claims 12 and 13 under the same rationale as the rejection of claims 3 and 4. Applicants respectfully submit that because claims 3 and 4 are not obvious under Ries in view of Westerman and are improperly rejected, claims 12 and 13 which are rejected under the same rationale as claims 3 and 4 are also not obvious and should be allowed.

#### Claim 14

The Examiner rejects claim 14 under Ries, paragraphs 0056, 0057, 0058, 0069, 0070, and 0079. [Office Action, p. 9] Applicants respectfully assert that because claim 14 is dependent upon claim 13, which is not obvious under Ries in view of Westerman, claim 14 is not obvious under Ries in view of Westerman and the claim should be allowed.

#### Claim 15

The Examiner rejects claim 15 under Ries, Figure 6 and paragraphs 0056 – 0059, 0070, 0080, and 0083. [Office Action, pp. 9-10] Applicants respectfully assert that because claim 14 is dependent upon claim 13, which is not obvious under Ries in view of Westerman, claim 14 is not obvious under Ries in view of Westerman and the claim should be allowed.

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**Claim 9 is not obvious under Ries in view of Woodard**

Claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ries in view of Woodard et al. (US Publication 2002/0104080). The Examiner carries the burden of proving a prima facie case of obviousness for a 103(a) rejection. Applicants respectfully assert that because the Examiner does not establish that Ries anticipates claims 1, 7 or 8, upon which claims claim 9 is dependent, claim 9 not obvious under Ries in view of Woodward.

**Claims 21-25 are not obvious under Ries in view of Barrick**

Claims 21-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ries in view of Barrick (US Patent 6,625,647). The Examiner carries the burden of proving a prima facie case of obviousness for a 103(a) rejection. Applicants respectfully assert that because the Examiner does not establish that Ries anticipates claim 20, upon which claims 21-25 are dependent, claims 21-25 are not obvious under Ries in view of Barrick.

**Claim 26 is not obvious under Ries in view of Barrick and further in view of Westerman**

Claim 26 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ries in view of Barrick and further in view of Westerman. The Examiner carries the burden of proving a prima facie case of obviousness for a 103(a) rejection. Applicants respectfully assert that the Examiner does not carry the burden of proving a prima facie case of obviousness as to claim 26 for the following reasons.

The Examiner rejects dependent claim 26 as reflecting "the computer readable medium for performing the operations of claim 3 and is rejected along the same rationale." [Office Action, p. 12] Applicants note that a prima facie case of obviousness is not established for claim 3 and therefore, as a claim rejected on the same rationale as claim 3, prima facie obviousness is also not established for claim 26.

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***Conclusion***

Applicants note the citation of pertinent prior art cited by the Examiner.

In view of the foregoing, withdrawal of the rejections and the allowance of the current pending claims are respectfully requested. If the Examiner feels that the pending claims could be allowed with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment.

Respectfully submitted,

 on 1/18/06

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